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STATE OF ILLINOIS
Pollution Control Board

OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 7, 2005

The Honorable Dorothy Gunn
Illinois Pollution Control Board
James R. Thompson Center, Ste. 11-500
100 West Randolph
Chicago, Illinois 60601

Re: ***People v. Altman-Charter Company, et al***
PCB No. 05-96

Dear Clerk Gunn:

Enclosed for filing please find the original and ten copies of a NOTICE OF FILING and COMPLAINANT'S MOTION FOR MODIFICATION OF FINAL ORDER in regard to the above-captioned matter. Please file the originals and return file-stamped copies of the documents to our office in the enclosed self-addressed, stamped envelope.

Thank you for your cooperation and consideration.

Very truly yours,

A handwritten signature in cursive script, reading "Kristen Laughridge".

Kristen Laughridge
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706
(217) 782-9031

KL/pp
Enclosures

CERTIFICATE OF SERVICE

I hereby certify that I did on March 8, 2005, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled NOTICE OF FILING and COMPLAINANT'S MOTION FOR MODIFICATION OF FINAL ORDER

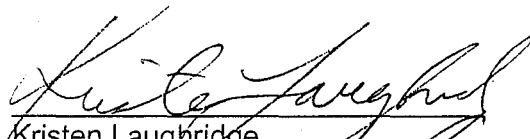
To: **ALTMAN-CHARTER COMPANY**
a Missouri corporation
c/o Mark C. Goldenberg
2227 S. State Route 157
Edwardsville, IL 62025

and the original and ten copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s):

To: Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601

A copy was also sent by First Class Mail with postage thereon fully prepaid to:

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Springfield, IL 62794


Kristen Laughridge
Assistant Attorney General

This filing is submitted on recycled paper.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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MAR 10 2005

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS,)

Complainant,)

vs.)

No. 05-96
(Enforcement - Water, Public
Water Supply)

VILLAGE OF NORTH CITY, an Illinois)

municipal corporation; LAWRENCE A. LIPE &)

ASSOCIATES, INC., an Illinois corporation;)

ALTMAN-CHARTER COMPANY, a Missouri)

corporation; and FURLONG EXCAVATING,)

INC., an Illinois corporation,)

Respondents.)

COMPLAINANT'S MOTION FOR MODIFICATION OF FINAL ORDER

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, filed a two-count Complaint against the Respondents, VILLAGE OF NORTH CITY, an Illinois municipal corporation; LAWRENCE A. LIPE & ASSOCIATES, INC., an Illinois corporation; ALTMAN-CHARTER COMPANY, a Missouri corporation; and FURLONG EXCAVATING, INC., an Illinois corporation, on November 17, 2004. Three of the four parties came to a settlement and entered stipulations with a request for relief from the hearing requirement. The Pollution Control Board issued its Final Order on March 3, 2005. However, the People respectfully contend that the Board mistakenly issued an incorrect Order as to what was agreed to between the People and Altman-Charter Company. In the stipulation filed by the People on January 6, 2005, Altman-Charter agreed to pay a civil penalty of \$500, and further agreed to perform a supplemental environmental project by a donation of \$2,0000 to the Benton School District Greening Program. Therefore, Complainant hereby moves for modification of the March 3, 2005, Final Order regarding Altman-Charter Company pursuant to

Sections 101.520, 101.902 and 101.904(a) of the Board's General Provisions, 35 Ill. Adm. Code
101.520, 101.902, and 101.904(a).


WHEREFORE, Complainant respectfully asks that this Board modify its March 3, 2005,
Final Order.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,

LISA MADIGAN
Attorney General
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement Division

BY: 
KRISTEN LAUGHRIDGE
Environmental Bureau
Assistant Attorney General

500 South Second Street
Springfield, Illinois 62706
217/782-9031